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McMinnville City Council
230 NE Second Street
McMinnville, OR 97128

Dear Mayor Hill and Members of the Council:

Please place these comments in the record for the UGB expansion hearings being held on December 1, 2 and 3. I am pleased to see this process reaching what appears to me to be a reasonable conclusion, given its litigious past. While I have no opinion about which lands should or should not be included in the new boundary, I believe the proposal makes a good faith effort to comply with the law and uses what appear to be reasonably objective standards for identifying the lands for inclusion.

I am disappointed, however, to see the executive summary confuse the role of citizens in the development of the plan. The 2003 plan described as “very progressive for its time” was a direct result of citizen input that dramatically improved a poor initial effort. Referring to the same citizens later as “plagued by opposition” misrepresents their role in the process.

The original proposal contained in a March 1996 ‘UGB “Quick Reference” Sheet’ (attached separately) cited planning work by MLP Associates and Winterowd Planning Services to claim that by 2020 we would need to plan for 46,435 residents occupying an additional 1865 acres (2.91 square miles) of buildable land. The need they found was for 1702 acres of large-lot R-1 subdivisions and 34 acres of R-4 land typically used for affordable housing.

Goal One of the Oregon land use system is citizen participation and this proposal generated plenty of that. Many citizens saw this plan as a recipe for suburban sprawl, more traffic and higher taxes. Affordable housing providers felt that the plan basically ignored the need for more land for affordable housing.

Years of citizens’ input, legal wrangling and DLCD intervention ultimately led to the adoption of the 2003 plan under remand here that originally called for adding 881 acres of buildable land (1.38 square miles) to serve a population of 44,055 in 2023. Now it appears likely we won’t reach that population figure until at least 10 years later, so we are really approving a 30-year UGB expansion.

As has been pointed out repeatedly recently, the exception areas have not urbanized as planned, so perhaps this is a justification for overstating the need for land. It strikes me that this sort of rationalization is fraught with subjectivity and probably not legal. It is

the sort of thing that could have been negotiated and, in my opinion, settled twenty years ago without hundreds of thousands of dollars of legal costs.

As much as I might care about all this past history, it is really not relevant beyond what it might teach us when we start on the next expansion. What is now important are the ordinance and comprehensive plan changes proposed to implement the 2003 plan before you. Below are my thoughts on these matters:

Neighborhood Activity Centers: I thought these were the best part of the 2003 plan and am glad to see them being revised for inclusion in this proposal. Yet I think their implementation is going to be challenging. The commercial property (theoretically the center of the NAC) is realistically the last property developed because their customer base is the people living nearby. In Baker Creek North this commercial site became a lightning rod for opposition, causing the Council to put restrictions on it that make it even less likely to succeed. There needs to be some careful consideration of how to plan the Neighborhood Activity Centers so they are successful.

One thing absent from the plan's graphic but clearly needed near these centers are public parks. These should also be adjacent to the high density housing so that there are nearby places to play for those residents. In some places the parks could also provide a buffer between housing types of differing densities.

R-5 (High Density) Housing: I strongly support the inclusion of the R-5 zone. The current R-4 zone has failed to provide sufficient land for apartments, leaving developers to pay higher prices for commercial land for apartments. While it is not necessarily bad to site some apartments near commercial operations (especially on the upper stories), there needs to be some land designated for apartments in the residential areas that can be developed without long NIMBY battles. I would also favor clearer definitions of buffering requirements (fencing and/or landscaping) so this cannot be contested during public hearings.

The success of this plan depends on developing a significant number of affordable housing units, which often means apartments. There are enough financial hurdles to building these projects without compounding the problem with a lack of clearly designated sites and the need for variances that invite costly protracted battles at the Planning Commission.

Park Land: Table 10 on page 61 of the plan shows we are going to create 254 acres of parks for the residents occupying 312 acres of new residences. If you think the ratio of park land to residential land is out of whack, you are correct. The park land figure is based on an idealized number in the expired 1999 Parks Plan that we have never come close to achieving. Thus, we are going to be building parks for the next ten years to make up for our failures to construct needed parks for the past twenty years.

If this has any chance of happening (and I wonder why the next 10 years should be different than the past 20 years), it is critical that we protect land for this accelerated park construction project. The proposed Park Zone is needed to do just that.

Still, we need to do more. We should have started on a new Parks Plan 2 years ago, and all we seem to be getting here is a vague promise to work on it within the next few years. Further, the Parks Bond measure is paid off in the next year, and all the talk I have heard indicates that bonding capacity is going to be needed for whatever comes out of the MacPac planning process. It strikes me as a little disingenuous to approve a UGB plan calling for construction of 254 acres of parks without a current Parks Plan or a funding mechanism to get those parks constructed.

While you are amending the Comprehensive Plan to implement this plan, I would like to suggest that you amend Policy 163.05, a misguided attempt to site parks only on buildable land. Had we had such a policy earlier, City Park would never have been developed. I would suggest changing the first sentence to read (added text underlined): “The City of McMinnville shall locate permanent facilities like restrooms in future community and neighborhood parks above the boundary of the 100-year floodplain.” Having a creek run through a park is a great asset, not something to be prohibited.

Conclusion: Despite the reservations that I and I am sure many others have about particular parts of this plan, I think the time has come to move forward as a community and support its implementation. While it has no legal bearing on the implementation, it would be a good gesture on the Council’s part to include language acknowledging how the plan was improved by citizen participation in the process and drop the “opposition” language.

Some observers (unfortunately including the editorial board of the local paper) have tried to describe this process in binary terms of winners and losers like it was an election. I think we have all learned something in the last 25 years that changed how we viewed this City’s future, and it had little to do with the technical, legal points in the plan and how the courts ruled on them.

As we move ahead, I look forward to providing detailed comments on these and other issues involved in making this a great community for everyone. Thank you for taking the time to read and consider these comments.

Sincerely,

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Mark Davis

UGB "QUICK REFERENCE" SHEET

The following is intended to be utilized as a "quick reference" sheet regarding the figures represented in the Land Use Needs Analysis and Buildable Lands Inventory study.

UNITS OF MEASURE:

- One acre = 43,560 square feet
- One square mile = 640 acres

POPULATION:

- 1995 McMinnville population = 22,140
- Average annual historic growth rate in McMinnville = 3.1 percent. This was arrived at by averaging the city's annual population changes over 20 years (1973-1993).
- Assumption: It is reasonable to think that the average growth rate which occurred over the last 20 years will likely continue in the future.
- The application of the city's 3.1 percent historic growth rate through the year 2020 yields a population projection of 46,435 (the 1994 population of 20,995 was used as the base figure for the projection).

EXISTING BOUNDARIES:

- There are currently about 9 square miles within the McMinnville city limits.
- There are currently about 11 square miles within the McMinnville UGB.
- UGB study area = 21.7 square miles

METHODS: The following benchmarks were used to project residential land needs:

- Average household size = 2.4 persons per household
- Base assumption of residential density = 5 units per gross acre.
- Residential land use need projections incorporate a 25 percent allocation for rights-of-way and utilities, a 90 percent land use efficiency factor (that is, that actual development densities will be 90 percent of maximum allowable densities), and a 5 percent vacancy rate.

LAND AVAILABILITY AND NEED FIGURES:

- There are about three miles (specifically, 2.91 square miles) of vacant, developable land remaining within the UGB.
- Of those three square miles, two are outside the current city limits and one is comprised of vacant land and infill properties within the city limits.
- As indicated below, there is a deficit of 1,865 acres within the current UGB as relates to the city's ability to meet projected land use needs through the year 2020.
- The table below has been excerpted from the Phase I report:

Table 4-6. Comparison of Demonstrated Land Use Needs and Vacant Buildable Lands Available to Meet Identified Needs Within the McMinnville UGB, 1995

Plan Designation / Zoning District	Needed Buildable Acreage to Meet Year 2020 Growth Needs	Vacant, Buildable Land Supplied Within Current UGB	Surplus or <Deficit>
County Residential		802 (Unincorporated)	802
City R-1	1,702 Acres	517 Acres	<1,185>
City R-2	664 Acres	51 Acres	<613>
City R-3	183 Acres	34 Acres	<149>
City R-4	34 Acres	17 Acres	<17>
Residential Sub-Total	2,583 Acres	1,421 Acres	<1,162 Acres>
Commercial	381 Acres	103 Acres	<278 Acres>
Industrial	426 Acres	148 Acres	<278 Acres>
Industrial (Alternative Sites)	200 Acres (2 100 Acre Sites)	100 Acres (Part of Miller Property)	<100 Acres>
Mixed Use	- 0 -	118	118
Public	292 Acres	128 Acres	<164 Acres>
Total	3,882 Acres	2,017 Acres	<1,865 Acres>

Source: MLP Associates, Winterowd Planning Services, 1995.

SUMMARY:

The population of McMinnville is projected to **slightly more than double** by the year 2020 (an increase of 109.9 percent beyond today's population).

In sum, this means that while McMinnville's population is projected to slightly more than double by the year 2020, it is proposed that the UGB be expanded by about three square miles (specifically, 2.91 square miles) resulting in a UGB increase of approximately 27 percent.

SUMMARY (cont.):

In McMinnville, land which is within the 100 year floodplain or located on slopes greater than 20 percent may not be developed. Additionally, wetland areas may not be developed without permit approval and an off-site mitigation agreement by the Oregon Division of State Lands in conjunction with the City of McMinnville.

Therefore, in order to mitigate the effects of unbuildable lands upon the future buildable land inventory, it is estimated that up to one additional square mile might need to be added to the total land use need. This would adjust the UGB expansion area from three to four square miles. Such an adjustment cannot be predetermined and will be decided upon incrementally over time as the UGB Steering Committee analyzes individual parcels for potential inclusion.